First Amendment Martyrs, P. 3

Silence Here But Angry Debate in British Commons Over Atomic Arms for Germany, See Page 2

I. F. Stone's Weekly

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No More Testing — Except in Heaven and Hell

A more superstitious age would say that the President's nuclear treaty proposal would end all testing except in heaven and hell. The basic objection to the President's nuclear treaty proposal is that it would allow a resumption of the atomic arms race underground and in outer space. It was presented as if it merely envisaged a little marginal testing. But the President's vague words about testing below a certain threshold in the earth and beyond a certain threshold in the skies sound less innocuous when read against the backdrop of the speech made by Dr. Edward Teller, "father of the H-bomb," in New York only a few weeks ago on receiving an award from Fordham. "We must continue our advance in nuclear explosives," Dr. Teller said on that occasion, Jan. 26, "by testing in interplanetary space and underground" in order to develop those "more refined weapons . . . that can be used in a discriminating fashion." This Pied Piper of the nuclear era plays only the most humane tunes. "Everyone knows the potential fury of a nuclear bomb from the tragedy of Hiroshima," Dr. Teller said, "but few people realize the potential use of nuclear arms for the kind of defense which will not leave the countryside [only the cities?] in ruins." These morally blind scientists must somehow be leashed before they perfect their new weapons and the rest of us out of existence. The President's proposal would allow them free rein again.

Shooting Star or Nuclear Rocket?

Were the Russians to accept this proposal, its application would provide a rich source of recrimination, suspicion and tension. Let us begin with outer space. The White House statement *about* the proposal (the actual text is still withheld) says this would "ban all tests above ground up to the greatest heights to which effective controls can now be agreed." Last summer East-West scientists held a special conference on outer space tests. They agreed July 10 on satellite monitoring systems which could detect explosions "hundreds of millions of kilometers from the earth." The Russians accepted their recommendations August 10 and the West August 26. Is all this to be reopened again? Or will we be spending millions of dollars in an effort to test weapons even further out in space? Will our scientific madmen shift from interplanetary to intergalactic testing? And if we fall short and are detected, what do we do—say excuse it please? Will every sudden shooting star give rise to suspicion and spread the Cold War to the Milky Way?

Underground the situation would be as unstable. By fixing the threshold in terms of earthquake equivalent magnitudes instead of kilotons, we place a limit difficult to determine and police. U.S. and Soviet scientists disagree on the proper way to determine these magnitudes. That is one source of dispute. The other is that, however estimated, the magnitude of a specific kiloton shot may vary widely depending on the type of earth in which it is set off and the kind of muffling which can be applied to it. We say our threshold figure of 4.75 magnitude is the equivalent of about 20 kilotons but this is based on one shot in the rather soft earth of our Nevada testing site. Shots in different soils, at different depths and with different muffling may have a greater or lesser magnitude. Dr. Teller and his colleagues would be urging us to spend hundreds of millions of dollars digging "big holes" in which they would claim that shots of 50 or 100 kilotons could be made to appear smaller in magnitude than that now associated with 20 kilotons. Since testing below the 4.75 threshold would be permitted, there would be no need to conceal the digging and earthwork from surveillance. A race would begin to build bigger and deeper holes to muffle ever larger shots below the threshold, while disputes would grow over whether they violated the agreed upon limit. This proposal—which has Senate Democratic heads waggling in bipartisan accord, even Humphrey calling it "forthright and workable" (though suggesting a moratorium with it)—is a recipe for a perpetual squabble. It suggests a mechanism engineered, as it were, to guarantee a swift breakdown. One can almost read the label, "Money refunded if this machine fails to collapse in 30 days."

(Continued on Page Four)

The Way to An Agreement

Q. (Chalmers M. Roberts, Washington Post): Assuming that the Soviet Union would accept this proposal, during the period of the development of new techniques to extend the ban on certain of the underground test problems, would the U.S. during that period resume underground testing?

A. Well, I—it's a question that, of course, itself has not yet been resolved . . . that is something that we would have to decide with our own allies.

—Eisenhower press conference, Feb. 11.

"The British have been strongly in favor of accompanying the limited treaty proposal with a suggestion for a moratorium on small-scale tests. Washington would not agree. . . . One British source said if the Russions accepted the limited treaty now, it would take about three years to establish the necessary controls and by that time science would be able to detect all tests."

—New York Times from Geneva, Feb. 12.

". . . the Soviet delegate, while emphatically and repeatedly insisting that all tests must be banned, indicated that Moscow's plans for a treaty that would in itself ban all tests might not be the last word.

"The idea of a treaty plus a moratorium, he told reporters, would be 'a different thing' and 'would have to be considered.'"

—New York Times from Geneva, Feb. 13.

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Selections from A Two-Day House of Commons Debate Poorly Reported in Our Press

What Britain's Labor Party Had to Say of Nuclear Arms for Germany

The misgivings expressed in the House of Commons foreign policy debate Feb. 10-11 about giving nuclear arms to the Germans contrast sharply with the wide silence on the subject in our own Congress where West Germany has become a sacred cow. Since the debate was poorly covered in our own press, we provide excerpts here from the parliamentary reports in The Times of London Feb. 11-12. The Laborite members quoted below also speak for a voiceless minority in this country, and their influence at home is not to be measured by the lopsided 322-233 vote by which their motion was defeated. A majority won by the Conservatives on a pledge actively to seek for peace and disarmament is now being used to steamroller objections to acquiescing in Washington-Bonn axis policies which move toward a stepping up of world tension. Why not send this page to your Senators and Congressman and ask why they can't speak up, too, against nuclear arms for the Germans?—IFS

Mr. HEALEY (Opening for the Opposition): The year 1960 would prove a turning point in the history of international relations, perhaps in the history of the human race . . . If there was to be a failure at the summit conference there was a danger that destructive factors in international affairs would take control of the policies of both sides, and there would be a revival of the arms race between the U.S. and the Soviet Union in a new and even more dreadful form . . .

There was total paralysis in the pre-summit negotiations among the western powers. There were signs that Dr. Adenauer and President de Gaulle only agreed to the conference in May when they were satisfied that there was no chance of it indulging in genuine negotiations.

The agreement of NATO to supply western Germany with atomic arms represented almost an abdication of reason. . . The main purpose of NATO's ground forces in central Europe, in case of a substantial Russian attack, was to enforce a pause, so that during this pause the Russians would have to decide whether or not to make it all-out war.

But what sort of pause could NATO hope to enforce if the German forces, on whose territory they would be fighting, possessed weapons which were capable of dropping a hydrogen bomb on Warsaw and on Moscow? . . .

One Way to Steal Atomic Secrets

The system of dual control could not give anybody much comfort. Units which controlled delivery must from time to time have the opportunity of fitting the warheads into the delivery vehicle, and in the course of this exercise they were liable to obtain the information which would enable them to duplicate the warheads, given time . . .

Perhaps the most serious danger of all was shown by the fact that east Germany had already publicly stated that if these weapons were supplied to west German forces it would seek the right to obtain similar weapons from Russia. The situation in Europe would become inevitably more dangerous if both sides in a divided Germany, bitterly opposed to one another in ideals, policies and social structure had each the power to start the type of atomic conflict which would engulf the whole world in war.

A Sprout That Thrives on Blood

"Exercise Wintershield showed that the new German Army still has some major problems. But it has some extremely capable, aggressive commanders and noncoms, and the seeds of its past military greatness are sprouting again."

—Hanson W. Baldwin, summing up the new joint U.S.-German army maneuvers, Feb. 11.

Text of the Labor Party Motion

"That this House, deeply concerned to ensure that the disarmament negotiations and summit talks shall result in real progress towards stopping the arms race and ending the cold war, regrets the failure of the Government to advance and sustain practical proposals to this end and, in particular, calls upon them to press for the limitation and control of forces and weapons in central Europe as a first step towards a wider political settlement in that area and as a means of relaxing tension over Berlin; and further deplores the fact that the Government has consented to the steps that are being taken towards the arming of west German forces with nuclear weapons before the summit talks have been held, thereby prejudicing their prospects of success."

—House of Commons, Feb. 10.

Mr. IDWAL JONES: Who in Britain 15 years ago would have imagined that he would live to see the day when the west would be rearming Germany with the most powerful and dangerous weapons that modern science could provide?

Mr. SYDNEY SILVERMAN: . . . Dr. Adenauer had said in an interview with the Pope, "Our German soldiers are the soldiers of God." Let the Germans not be the soldiers of God; let them be God's missionaries for peace in the world, and so atone for some of the crimes of the German past generation.

Mr. ALLAUN: The key issue in the debate was whether they should give nuclear weapons to Germany . . . If members asked their constituents, the answer in nine cases out of ten would be that they should not even be given pea-shooters.

Miss JENNIE LEE (Mrs. Aneurin Bevan): It was a disquieting fact that the same policy of appeasement was being pursued towards Dr. Adenauer as was pursued towards Hitler. There were many ordinary Germans who did not know what was going on in Hitler's Germany, but could it be said that the great industrialists who backed Hitler did not know. Just as they backed Hitler they were now backing Dr. Adenauer. They supplied the funds for his last election, and Britain was now faced with the same thrusting, arrogant *herrenvolk* in charge of the destinies of western Germany as in the days when Hitler was rising to power.

Mr. GAITSKELL (Closing for Labor): What conceivable justification was there for allowing the Mace, a rocket designed to travel 900 to 1,000 miles to be in the possession of the Germans? . . . The picture of the Germans as a people who might become filled with hatreds and inferiorities because they were denied nuclear weapons was really wide of the mark . . . He had a number of friends in Germany, and they did not strike him as suffering from an inferiority complex. What worried them most was the prospect of a return of militarism in Germany and they were not in favor of Germany having nuclear weapons.

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Portrait of Paul Rosenkrantz the Un-American Committee's First Amendment Victim No. 4

Something Wrong With A Society That Sends A Gifted Man Like This to Jail

A society may be judged by the kind of people it sends to jail. This week we would like to introduce our readers to a man named Paul Rosenkrantz. He is the fourth and least known of the First Amendment defendants to go to jail since November 10 for contempt of the House Un-American Activities Committee. It is worth making his acquaintance.

Mr. Rosenkrantz is a foreign born workingman who decided at the age of 40 to go back to college. He was born in Russia in 1916 and came here in 1932. He had been a packing house worker, a salesman, a seaman and a Westinghouse electrical worker. He was married and had three daughters when he entered Springfield (Mass.) College in 1956. He graduated two years later *magna cum laude*. When such men become "jailbirds" for political reasons there is something wrong with the society in which they live.

A few months before graduation in 1958, Mr. Rosenkrantz was summoned before the House Committee in Boston. He told the Committee he had been a member of the Communist party but refused to identify the branch to which he had last belonged on the ground that this would lead directly to a demand that he name others.

It is a measure of Mr. Rosenkrantz's promise and of the Woodrow Wilson Foundation's courage that it awarded him a fellowship for further study despite his appearance before the Committee. Mr. Rosenkrantz was in his second year of graduate work for a doctorate in psychology at Clark University when Federal Judge Wyznanski on Dec. 9 last found him in contempt.

The judge turned down a request that the sentence be stayed until June, 1961, to permit Mr. Rosenkrantz to finish his graduate work. This may be sound law but it makes little sense in a country which needs more trained scholars, unless indeed at this stage of our history it *was* more important to send Mr. Rosenkrantz without delay to Danbury Prison.

The succession of jailed First Amendment defendants (some 30 more are on the way) may help to drive home the menace of this committee's pestilential power to a society that likes to think of itself as intensely devoted to freedom but has shown a yawning indifference to it.

Mathematician Victim No. 3

"We hope to restore the reputability of dissent. I think such an effort is sufficiently important to risk extreme measures. It was an extreme measure for me to risk jail. I won't enjoy it. But it will be a satisfaction to affirm by this act that I value free speech this highly."

—Dr. H. Chandler Davis, the third First Amendment defendant jailed for contempt of the Un-American Committee. Dr. Davis was a mathematics instructor at the Univ. of Mich., when he refused to answer questions about the authorship of a pamphlet attacking the Committee. The Univ. of Mich. dismissed him but he later taught at Columbia and then accepted a one-year fellowship at the Institute for Advanced Studies. Dr. Davis began serving a 6-month jail sentence Feb. 2 after Federal Judge Wallace Kent, in Grand Rapids, Mich., denied a motion for reduction in sentence supported by an American Mathematical Society affidavit that Dr. Davis's services were irreplaceable. Dr. Davis, who reads six languages, has been editing Mathematical Reviews, which covers the world's literature on mathematics.

A Test Offer That Cast New Light on the Frankfurter "Balancing" Doctrine

Two aspects of Mr. Rosenkrantz's case merit attention. He went to jail without appealing. After the Barenblatt decision, he did not have faith enough in the Supreme Court to go through the trouble and expense of an appeal.

The other aspect is the light cast by an incident of the case on the rationalization with which the Court has given its approval to the Committee. Mr. Rosenkrantz had pleaded *nolo contendere*, i.e., he simply declined to answer the charge of contempt. Judge Wyzanski had accepted the plea but deferred sentence, suggesting that he purge himself.

The defendant then wrote the Committee, offering to answer any questions about his own activities and any "pertinent" questions about the party branch to which he once belonged, but reserving his right not to answer other questions. The Committee replied that he could appear voluntarily but would not issue a subpoena. Mr. Rosenkrantz said it was against his principles to appear as a voluntary witness. Thereupon, on Feb. 3, Judge Wyzanski imposed a 3-month sentence and on Feb. 8 Mr. Rosenkrantz went to jail.

In the Barenblatt case the Supreme Court 5-to-4 adopted the Frankfurter doctrine that the First Amendment was "out balanced" by "national security" when the Committee sought information essential to the nation's safety.

Why didn't the Committee question Mr. Rosenkrantz again if it needed such vital information? If the information it wanted was important enough to suspend the First Amendment and send this gifted man to jail, it should have been important enough for another subpoena. The Committee could then have demonstrated by the character of its questions that it was not trying to punish a man for his past political views but was concerned with obtaining information that involved some wrongful and dangerous act.

The Committee's indifference supplies its own comment. "I felt," Mr. Rosenkrantz said before going to jail, "that if the Committee's interest was so small that it wasn't worth a subpoena, that the information they sought was not anything they genuinely needed." The Committee's real interest, like McCarthy's, is in smearing people or sending them to jail. It is running a public pillory not an inquiry.

Not THAT Mature

"The questions came from a crowded floor . . . in a Los Angeles ballroom. Most of the questions were friendly, but some had the smell of animosity.

" 'Now that you have matured,' a student editor called out, 'will you use your influence to abolish the House Un-American Activities Committee'?"

"The Vice President repeated the question so all could hear, then sent a thundering answer across the hall. 'The answer is no,' he said."

—New York Herald-Tribune, Feb. 14.

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After France, Other Recruits to Nuclear Club May Make the Situation Hopeless

Three Ways Are Still Open to A Nuclear Test Agreement

(Continued from Page One)

There are several ways to reach an agreement at Geneva. One (see page one box) is to offer a moratorium on all testing with the President's proposal and during that period pursue joint research on means of detection. The second lies in the new Russian offer to waive all scientific criteria on inspection provided there is agreement on a quota allowed each year. This means that if we suspect a shot has taken place we can inspect within our quota without having to prove to the Russians by instrument readings that the event was not an earthquake. Tsarapkin (according to a dispatch on the *Reuters* ticker Feb. 16) took up a proposal first made by Sir Michael Wright in the Geneva talks Jan. 15 (*London Times*, Jan. 16). The British delegate suggested that criteria for inspection be made provisional until after there had been two or three years experience with the working of the system. Tsarapkin offered to make the quota provisional, too, subject to renegotiation after a few years experience.

Why Rush That Treaty?

There is another route which makes more sense than to rush a treaty to the Senate and risk rejection before the subject has been fully explored. That is to continue a 3-power moratorium on testing while setting up a joint agency for research in improving means of detection. It is scandalous that so little has been and is being done about the improvements recommended to the White House last March 16 by the Berkner panel. This panel of leading seismologists outlined a 3-year program of research and development which (it said) would restore to full efficiency the 170-station inspection system agreed upon in 1958 at Geneva, i.e. able to distinguish 90 percent of the earthquakes from nuclear explosions above the 5-kiloton range. In addition (see box this page) it concluded that a network of unmanned stations could raise this efficiency to the point of distinguishing 98 percent of the earthquakes from nuclear explosions above one kiloton! The Russians, who were very suspicious of unmanned stations last summer, seem to have switched their position, and their delegates at the recent parliamentary "foothills" conference in London accepted a resolution calling for the use of unmanned stations as a supplement to the Geneva system. On the Senate side, Humphrey has been trying to get clear answers from the Defense Department on just what happened to the Berkner panel recommendations. On the House side, Porter of Oregon Feb. 16 criticized the President's plan and called attention to the foot-dragging of Defense Dept. on these recommendations. He charged that our delegation at Geneva was instructed not to bring up the question of unmanned stations. But elsewhere there is silence or approval. It is almost as if we had a one-party system.

The French explosion, which alarmed millions in Africa and Asia, must have brought a certain smug contentment in many quarters of our military and scientific bureaucracy. If they can only hold out long enough, blocking agreement with new technical obstacles, the nuclear power club will soon grow to the point where no international agreement will be possible. How Teller and the military must long for that day!

Unmanned Stations Can Solve Detection Problem

"In addition to the improvements discussed above, the augmentation of the Geneva net with an auxiliary network of unmanned seismic stations offers the possibility of major improvement in the capability to discriminate between earthquakes and explosions. For example, if unmanned stations were spaced at 170 kilometer intervals in and adjacent to the seismic areas of the world, about 98 percent of the events as small as one kiloton equivalent, would be identified by this system."

—Berkner Panel Summary Released June 12, 1959

"It is very strange that the recent meeting of experts at Geneva (Technical Working Group 2) seems never to have discussed the use of supplementary unmanned seismic stations as a method of increasing the capability of a test detection system. . . .

"Unmanned stations, at intervals of 100 miles, would give signals at least 200 times as strong as those produced at manned stations at the specified separation of 600 miles."

—E.H.S. Burhop (Prof. of Physics, London Univ.) in letter to The Times (London) Feb. 13.

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